



GREENWOOD COMMON COUNCIL MAY 5, 2004 MINUTES

Mayor Charles Henderson called the meeting to order at 7:00 p.m.

The audience recited the Pledge of Allegiance in unison, after which the Rev. Dane Sinn of the Smith Valley Baptist Church led in prayer.

PRESENT:	Council members Bruce Armstrong, Ron Bates, Ron Deer, John Gibson, Keith Hardin, Jessie Reed; Mayor Henderson; Clerk-Treasurer Jeannine Myers; and City Attorney Shawna Koons-Davis. Councilman Bill Bless was not present.
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Mr. Bates moved to approve the minutes of the regular session of April 19th, with second by Mr. Hardin. Vote: Ayes (Abstain – Deer). Motion carried.

At this time Mr. Deer introduced Mike Dearing of the Metropolitan Planning Organization (MPO). Mr. Dearing reviewed the purpose of the MPO and discussed issues involved with reinitiating the establishment of an RTA (Handout is in attachments of this meeting). He is suggesting to each governmental entity that passed resolutions supporting the RTA in 1997 wait on the action of Marion County; he expects it to be passed. Discussion of EPA guidelines followed.

Ms. Koons-Davis had distributed her litigation report. There were no questions from the Council.

Mr. Armstrong reported that there were no hearings at the last Plan Commission meeting, but discussed a couple of minor issues.

Mr. Deer stated that the tax abatement committee met on April 22nd and is continuing to make progress. The next meeting is May 19th at 7:00 p.m. in the first-floor conference room.

The ad hoc committee studying solutions for City office space has held several meetings open to the public and one public hearing. Mr. Hardin said that the committee wants to further consider two solutions. The committee first wants to explore remodeling the City Building and possibly purchasing additional property for overflow in the area, also considering the future purchase of property for building in the future. The second choice was building a new building, with lease/purchase getting one more vote than did a bond issue. Discussion of square footage and possible expansion ideas followed. Mr. Hardin mentioned that a majority of those attending expressed resistance to issuing bonds. Mr. Deer pointed out that in the study done in 2000 the cost of remodeling this building and the cost of building a new building to meet the space needs that were projected came out almost equal. He did not think the Council should assume that remodeling this building would be less expensive than building, because of structural concerns that were brought up. Mr. Deer added that heating and cooling equipment have reached their useful life and the space issues for the court and the police department need to be addressed. Mr. Deer did not see the need to spend money to have architectural drawings done once more, but only update the space issues and then determine whether we want to address ten years or twenty years, which determines the size. Mayor Henderson mentioned that we have a thirty-nine month lease on the new facility on the east side, so we are not in a time crunch, and with the exception of the court, we are fairly comfortable. Judge Gregory asked for a clarification on whether the committee would be looking at space issues with regard to the court. He is in the process of negotiating with vendors to buy equipment and part of that purchase is intended for use by the Council. He asked whether the Council would want him to come back with a proposed solution to the court's problem, which he described as acute. Judge Gregory added that he has a funding proposal on what he discussed last year but reiterated his request for guidance. Mr. Deer thought the committee would need an update on space demands and thought we have to complete the debate about meeting our needs for the future. Mr. Gibson described the space needs of the court as he saw them during the last couple of weeks. Mr. Hardin pointed out that the second solution brought by the committee did include the court and was included a secure facility. The

new building would also include all City departments except those in the Surina Square buildings. Mr. Deer reiterated that we need to verify the needs-based analysis that was done four years ago and the length of time. Ms. Reed thought we should determine what space would be available with the remodeling of this building and Mr. Gibson agreed, adding that it should be determined what departments should be together.

ORDINANCE No. 04-12 – An Ordinance Annexing Certain Territory Contiguous to the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana (Approximately 94 acres of land along both the west and east sides of S.R. 135, north of Olive Branch Road – commonly known as the DSA, LLC, Alyea, Wilderness Development, Inc., Ace Securities, Inc. and Forest Lawn Memory Gardens, Inc. Properties). **POSTPONED UNTIL JUNE 7, 2004 MEETING FOR PUBLIC HEARING AND FIRST READING.**

ORDINANCE No. 04-09 – An Ordinance Annexing Certain Territory Contiguous to the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately .68 Acres Located at the Southwest Corner of S.R. 135 and Smith Valley Road, and Commonly Known as the Schoolcraft Development, Inc. Property. **POSTPONED UNTIL JUNE 7, 2004 MEETING.**

RESOLUTION No. 04-12 – A Resolution of the Greenwood Common Council Expressing Interest in the Purchase of Land. Mr. Hardin moved to pass Resolution No. 04-12 on second reading. Second by Mr. Armstrong. Vote: Ayes. **PASSED SECOND READING.**

RESOLUTION No. 04-13 – A Resolution of the Greenwood Common Council to Adopt the Written Fiscal Plan for the Annexation of Approximately 94 Acres Located on the Northwest and Northeast Corners of State Road 135 and North of Olive Branch Road, Referencing Annexation Ordinance No. 04-12. Mr. Gibson recused himself because of a conflict of interest. Mr. Deer moved to pass Resolution No. 04-13 through second reading. Second by Mr. Armstrong. Vote: Ayes. **PASSED SECOND READING.**

ORDINANCE No. 04-14 – An Ordinance Amending Greenwood Municipal Code (1993), As Amended, Section 2-95 and Common Council Ordinance No. 88-7, As Amended, Section 1, to Establish Petty Cash Funds For the Greenwood City Court – Adult Probation Department and the Legal Department. **INTRODUCED.**

ORDINANCE No. 04-15 – An Ordinance Providing For an Additional Appropriation From the Cumulative Capital Development Fund (\$1,503,447) to the Board of Public Works and Safety for Reconstruction and Repair of Portions of Meadowview Lane, Main Street, Smith Valley Road, and Smith Valley Road By-Pass in the City of Greenwood. **INTRODUCED.**

ORDINANCE No. 04-16 – An Ordinance to Amend Ordinance No. 89-11, An Ordinance Granting a Cable Television Franchise Agreement to Construct and Operate a Cable Television System in the City of Greenwood, To Renew and Extend the Cable Television Franchise Agreement With Insight Communications Midwest, LLC. Tom Flora, Area Manager, was in the audience, along with his district vice-president, to answer questions. The original 15-year franchise awarded to Post-Newsweek, which was purchased by Insight, expires in June, and they are asking for a renewal for an additional fifteen years. Mr. Flora told the Council that they had originally inserted a franchise transfer, dealing with transfer of assets in the event of a consolidation. Mr. Flora asked to be allowed to insert a transfer within their own corporation. Ms. Koons-Davis clarified that she had prepared a memo to that effect and reminded the Council that there is no action or discussion until first reading. **INTRODUCED.**

ORDINANCE No. 04-17 – An Ordinance Transferring Supervision and Control of City Property From the Board of Public Works and Safety to the Common Council Pursuant to I.C. 36-4-6-18 and I.C.36-9-6-2, and Repealing All Ordinances Inconsistent Herewith. **INTRODUCED.**

RESOLUTION No. 04-15 – A Resolution of the Greenwood Common Council Regarding the Issuance of Warrants (Approval of the Payment of Claims). **INTRODUCED.**

ORDINANCE No. 04-18 – An Ordinance Transferring Funds Within the Budget of the Post Conviction Services Department (Probation and Drug Court) (\$75,000). Judge Gregory clarified that this is from the Department of Justice Drug Court Grant. In the three-year grant that terminates in September, 2004, for

various reasons they have not spent around \$135,000. Judge Gregory thought one of the best uses would be for a teleconferencing system. He is contacting vendors that he believes are competent and wants to find the best price. In response to Mr. Armstrong, he clarified that there does not appear to be any money earmarked for this kind of project in this year's Federal budget. There may be some Local Law Enforcement Block Grant Funds, he added, but he thought that the amount involved and the restrictions involved would probably not make the effort worthwhile. **INTRODUCED.**

Under miscellaneous business, Mr. Hardin mentioned that DeBaun's Service in the 100 block of Main Street has a 76 sign from when it was a gas station. Mr. DeBaun has offered to, at his own expense, put in a Greenwood City emblem. He would like to have an Old Towne Greenwood logo, and Mr. Hardin told him he would bring the matter to the Council for input. Planning Director Ed Ferguson said that the City had not pursued classifying the sign as abandoned. He thought the request would involve an exemption clause in the sign code; there would have to be a variance to maintain it. This led to Mr. Deer mentioning the lack of a sign marking the City parking lot on Madison (the old Wake Up lot) for southbound traffic. After extended discussion, Mr. Hardin moved to allow Mr. DeBaun the variance he would need. He suggested that the President of the Old Towne Greenwood Association contact Mr. DeBaun. Mayor Henderson noted that he thought the motion was premature and should come after the conversation with the Old Towne Greenwood Association. Mr. Hardin withdrew his motion.

Mr. Hardin referred to the EDC meeting minutes of April 1st and a statement by Kathy Ring of Kathy's Kopper Kettle. He suggested the possibility of making Main Street one way and providing an alternate in the other direction, possibly Broadway. Mr. Hardin thought this would increase traffic flow to some of the other businesses. Mr. Ferguson recounted the opposition to one-way traffic when a traffic study was done a few years ago, primarily from downtown business owners and property owners. The idea was dropped and not made part of the thoroughfare plan. Mr. Deer discussed ideas from downtown business owners in promoting those merchants and thought the Council should support and encourage membership.

Mr. Gibson referred to an ordinance passed several years ago to prohibit parking on both sides of the street in the Northern Park area. A constituent called him to ask if there could be a petition to take parking off the other side of the street on Marcy Lane, as even backing out of a driveway has led to accidents. Mayor Henderson thought if the residents brought forward a petition asking for that then we would send the police and fire chief out to investigate. Mr. Deer recalled similar instances where residents had similar requests, where we asked that the requester canvas the area to see how many residents agreed with the request. The residents knew when the issue would be before the Council, and the Council then heard both sides of the story, after it was analyzed as to whether it would be a safety issue. The consensus was to have the petition brought forward.

Mr. Armstrong asked about the status of the bids for the Valle Vista streets. The City Attorney replied that she believed the specs were not done at this point.

Mr. Deer brought up the ability of residents to live above their business, which had been discussed in the Mayor's State of the City address. Mayor Henderson replied that the big concern there is the State fire code.

Mr. Deer asked about the possibility of an open house at the firing range. Chief Hessman said that there were a few minor repairs to be made. An open house could occur by the end of the summer.

Mr. Deer asked when the speed limit signs would be put back on Meridian. The project is nearing completion and there have been many complaints about speeding. Mayor Henderson said that the contract requires that they put the signs back when final grading is done, and staff will follow up on that.

Mr. Armstrong asked about the ditch that needed repair in Meridian Meadows. The Mayor noted that part of the ditch was on County property and part on private property, so nothing has happened yet.

Ms. Myers reported that the Information Technology Department is paying for a new recorder.

Counsel brought a Conflict of Interest Disclosure Statement for the following:

Kevin Dillow, an employee with the Street Department, for his son Jeremy Matthew Dillow, who works part-time for the Parks Department for any interest that he might have in his earnings.

Mr. Gibson moved to accept the Conflict of Interest Disclosure Statement. Second by Mr. Bates. Vote: Ayes. Motion carried.

From the audience, Linda Gibson noted that Flags for Greenwood was contacted by Pizza Hut, who will give 20% of the purchase price to Flags for Greenwood if you mention that you support them. There are two days remaining for this offer – May 10th and May 11th. The Johnson County Community Foundation will give Flags for Greenwood \$2,000 if they can raise \$2,000 by May 15th.

Mayor Henderson reminded the Council of the search for an alternative meeting place for the Wal-Mart discussion. Several churches turned down the request, and the auditorium of the High School was available at a cost of \$700. It was decided to make this facility work. Police and fire personnel will be on hand.

With no further business, the meeting adjourned at 8:55 p.m.